1941

Examined

File No. T. D. Bijapur (Talikot) / 4

Legal **DEPARTMENT**

E **BRANCH**

Subject:—

Building grant for the
District Local Board, Urdu Boys'
School, Talikot, District Bijapur.

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File No. T. D. Bijapur (Talikot) / 41

Std Sectt. Slip 24-B

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1.	R.I.No.2190 dt.14-10-41.	Letter from the Director of Public Instruction, Poona. Re: Building grant for the District Local Board, Urdu Boys School, Talikot District Bijapur.	1-7.

Registered post

No.S-42(d)-107-D

Poona, 13 October, 1941

From

The Director of Public Instruction,
Poona.

To

The Solicitor to the Government of Bombay,
Legal Department, Bombay.

Subject:- Building grant for the District Local Board, Urdu Boys' School, Talikot, District Bijapur.

2190
19/1

Sir,

I have the honour to forward herewith the papers noted in the margin in support of the title of the District Local Board, Bijapur, to the site of the Board's Urdu Boys' school at Talikot in the Muddebihal Taluka and to request that you will be so good as to let me know whether the title of the District Local Board, Bijapur, to the site of the school in question is good and in order for the purposes of a grant-in-aid.

(1) Extract paras. (1) and (2) of No.3539 of 4th March, 1938, from the Chairman, District School Board, Bijapur, to the Educational Inspector, S.D., together with an extract from Shrimant Rao Raste's Barnishi dated 23rd September, 1879 and its English translation in connection with the grant by Shrimant Rao Raste of Poona, who is the Inamdar of Talikot Village, of the site for school purposes.

(2) Site plan

(3) Copy of no.R.J.no.155 of 8th July, 1939 from the Vahiwatdar of Rao Raste, Talikot.

(4) Extract para.2 of no.17/B-15231 of 1st February, 1941, from the Educational Inspector, S.D., to this office together with extract para.2 of no.3465 of 16th March, 1940, from the Chairman, District School Board, Bijapur, to the Educational Inspector, S.D., and the draft of the undertaking.

I have the honour to be,
Sir,
Your most obedient servant,

G.N. Ayal

G.B.5/10

for Director of Public Instruction.

3 5

No. 9093

Legal Department.

Bombay Castle, 18th October 1941.

From

C. C. Shah, Esq., M.A., LL.B.,

Solicitor to the Government of Bombay.

To

The Director of Public Instruction,

Poona.

Subject:- Building grant for the District Local Board Urdu Boys' School, Talikot, District Bijapur.

Sir,

With reference to your letter No. S.42(d)-107-D, dated the 13th October 1941 on the subject noted above, I have the honour to state that from the extract from the Barnishi of Shrimant Rao Raste dated the 23rd September 1879, it appears that the land on which the school stands was given to Government for the use of constructing a building thereon for the purpose of a school. The condition of transfer appears to be that when the building is no longer used for the purpose of a school, the land is to revert to the owner. There is nothing in the correspondence to show that the land was transferred to the District Local Board, Bijapur. It is necessary to prove by documentary evidence how the D.L.B., Bijapur, came into possession of the site. The remark made in the last sentence of paragraph (1) of the extract from letter No. 3539, dated the 4th March 1938, from the Chairman, School Board, Bijapur, is not borne out by any documentary evidence. It will be necessary to know what are the conditions contained in the letter No. 214, dated the 14th October 1935 from Shrimant Rao Raste referred to

in the correspondence by the Chairman, School Board, Bijapur. I have therefore to request you to obtain and supply for my perusal a copy of the said letter (with its English translation if it is in the vernacular).

2. The papers accompanying your letter are returned herewith and may be sent to me along with your reply.

I have the honour to be,
Sir,
Your most obedient Servant,

17/10

Solicitor to Government.

A.D.M.

Issued 18/10

-Submitted after issue
no more can be necessary
file in the TD file

22/10

22/10

Regd 2875 — Registered Post

No. S.42(d)-107-D.
Poona, 27th May, 1942.

From

The Director of Public Instruction,
Poona.

To

The Solicitor to Government,
Legal Department, Secretariat, Fort Bombay.

THE SOLICITOR TO GOVERNMENT
IN LEGAL DEPARTMENT
File No. 976
Sub No. 2875
Branch
BOMBAY

Subject:- Building grant for the District Local Board Urdu Boys' school, Talikot District Bijapur.

Sir,

I have the honour to invite a reference to your letter No. 9093 of 18-10-1941, on the subject mentioned above, and to forward herewith as desired a copy of the letter No.214 of 14-10-1935, from Shrimant Rao Raste together with a copy of the memo.No.78 of 23-9-1879 referred to therein received in this office with the Educational Inspector's endorsement(No.17/B-13151 of 31-1-42 copy enclosed). In this connection I enclose a copy of the letter No.234 of 30-4-1942, from the Chairman, District School Board, Rijapur addressed to the Educational Inspector,S.D, for your information.

2. The accompaniments received with your letter under reference are returned herewith.

Your obediently servant,

KMT.23/5.

for Director of Public Instruct

No. 4578 Legal Department.
Bombay Castle, 30th June 1942.

From

C.C.Shah, Esquire, M.A.,LL.B.,
Solicitor to the Government of Bombay;

To

The Director of Public Instruction,
Poona.

Subject:- Building grant for the District Local Board Urdu Boys' School, Talikot District Bijapur.

Sir,

With reference to your letter No.S.42(d)-107-D, dated the 27th May 1942, on the subject noted above, I have the honour to note that the Chairman, District Local Board, Bijapur, now states that the Government while transferring all school building in this district to the District Local Board, appears to have transferred this land and building also to the District Local Board. Probably it appears to be the case that Government under sections 41 and 42 of the old Bombay Local Boards Act, 1884 (Bom.I of 1884) must have transferred the site and the building in question to the District Local Board, Bijapur which was constituted under the Act. The said Act is now superseded by the Bombay Local Boards Act, 1923 (Bom.VI of 1923). But this fact would not affect any property already vested in the District Local Board under the Act of 1884 (see section 4(4) of the Act VI of 1923).

2. The title of the District Local Board, Bijapur to the site and the school building in question is therefore good and in order for the purposes of a grant-in-aid. As the land in this case has been given by a private person on condition that it should revert to him in the event of the site ceasing to be used for a school, it will be sufficient if the District Local Board executes a trust-deed on the lines of Form IV-A prescribed in rule 11 of the Rules for Building Grants contained in Schedule D to the Bombay Primary Education Rules, 1924.

3. The papers accompanying your letter referred to above are returned herewith.

Your obedient servant,

CCS 3/6

Solicitor to Government.

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Intimation after recd

No. index card is necessary

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